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Germany, Empire of

THE
EMPEROR'S
COMMISSORIAL DECREE ;

AND THE
MOTIVES

FOR THE

*King of PRUSSIA's Declara-
tion of War against the
Queen of HUNGARY, &c.*

(Price Six-Pence.)



THE
EMPEROR'S
COMMISSORIAL DECREE

For RAISING the
WHOLE FORCE of the *EMPIRE*
Against the
QUEEN of *HUNGARY*:

AND THE
MOTIVES
OF THE
KING of *PRUSSIA*

FOR
Acting *Totis Viribus* in Support
of the *EMPEROR*.

To which is added by Way of
APPENDIX,
A
PRIVATE LETTER from *VIENNA*.

LONDON:
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THE
EMPEROR'S
COMMISSORIAL DECREE,
&c.

Frankfort, August 12, 1744.

“ WE are now in the judgment
“ of the wisest people here
“ at a crisis, and the fate of
“ Germany at least must be
“ very soon determined. It is so com-
“ mon a thing for news-papers to abuse
“ and deceive strangers with relations
“ from hence, that it is hoped the publick
B 3 “ will

“ will receive, with satisfaction an ac-
 “ count grounded upon facts, and sup-
 “ ported by original papers, which pa-
 “ pers are authentick acts of state, the au-
 “ thority of which cannot be suspected
 “ or disputed.

“ A report has for some time prevailed
 “ here, that new and better terms had
 “ been proposed to his Imperial Majesty,
 “ by the courts of ——— and ———,
 “ then he had received since the war began.
 “ The substance of these propositions are
 “ said to have been an offer of the upper
 “ *Austria*, as a deposit, 'till an equivalent
 “ could be conquered from *France*, for
 “ all his Imperial Majesty's pretensions;
 “ and at the same time he was to have a
 “ considerable annual subsidy, 'till things
 “ were entirely settled to his satisfaction;
 “ which terms his Imperial Majesty is said
 “ to have rejected, and to have declared
 “ that he meant to enter into no treaty,
 “ but in conjunction with his allies. This
 “ is the only hearsay shall be inserted in
 “ this account, and I insert it barely as an
 “ introduction to the matters of fact which
 “ are to follow.

“ What-

“ Whatever offers have been made to
 “ his Imperial Majesty, or however he
 “ may have treated them, it is certain,
 “ that he never intended to desert his
 “ allies, or to accept of terms prescribed
 “ to him, while deprived of his heredi-
 “ tary dominions; nor was it ever pro-
 “ bable that his allies should desert him,
 “ or that the princes of the empire, who
 “ so unanimously agreed in raising him to
 “ the Imperial throne, should see him
 “ either expell’d from thence, or treated
 “ while he sat thereon with indignity.

“ There has been much talk of allian-
 “ ces, neutral armies, armies of the em-
 “ pire, and whatever else the suspicion
 “ of a negociation, not to be penetrated,
 “ could suggest; but the days of darkness
 “ are now at an end, the mystery is re-
 “ vealed, and the issue of those impor-
 “ tant negociations is at last burst into
 “ light.

“ In few and plain words, on the 8th
 “ of this month, the ratifications were ex-
 “ changed here about one in the after-
 “ noon, of the TREATY OF UNION be-
 “ tween his *Imperial Majesty* the king of
 “ *Prussia*, the elector *Palatine*, and the
 B 4 king

“ king of *Sweden*, as landgrave of *Hesse-*
 “ *Cassel*. This treaty consists of no more
 “ than six articles, and will very soon be
 “ made public. All the electors are invi-
 “ ted to accede thereto, as are also the
 “ other princes and states of the empire.

“ The day before this important event,
 “ the director of the electorate of *Mentz*,
 “ carried to the dictatorship his Imperial
 “ Majesty's COMMISSORIAL DECREE. It
 “ is reported, that this instrument ap-
 “ pear'd to that minister, of so extraor-
 “ dinary a nature, and of such high im-
 “ portance, that he thought proper to
 “ carry it in person to his own court, in
 “ order to receive instructions ; but be that
 “ as it will, this *Commissorial Decree* has
 “ been actually carried to the dictatorship
 “ of the Empire, and is as follows.”

The

The translation of his Imperial Majesty's Commissorial Decree, addressed to the diet of the Empire.

ON the part of the Emperor, our most gracious lord *Charles VII.* his Highness Prince *Alexander Ferdinand de la Tour and Taxis*, &c. &c. principal commissary of his Imperial Majesty, is in duty obliged to make known unto the illustrious counsellors, ambassadors and envoys of the electors, princes and states here present, that they must have it fresh in their memory, how his Imperial Majesty, on the subject of a certain protestation, (for so it was call'd) of the court of *Vienna*, which was intruded, and in a manner unheard of in the *Roman* empire, carried on the 23d of *September*, to the publick dictature of the empire, before his Imperial Majesty would, conformable to the laws of the empire, by his Imperial authority, testify his just resentment of so hardy an outrage on his Imperial Majesty and the whole *Roman* empire, most graciously declared

clared by his *Commissorial Decree* of the eleventh of *December* in the preceding year, address'd to the diet of the Empire with most resplendent moderation, requiring before all things their advice, how, and after what manner, the most high Imperial authority, and the honour of the whole Empire might be recovered and sustained; and once for all, the necessary security established against all such like injurious attempts.

But while his Imperial Majesty has been attending, with most evident forbearance, the advice of the empire, the court of *Vienna*, instead of behaving as became an estate of the empire, has heaped abuse upon abuse, and continued her preceeding insults, by new writings, void of respect, and in a stile most indecent, very opposite to those of legal pieces, destitute of the honourable titles usually given, and of right due to the diet of the empire, and signed only by a minister, whose ministry was not appropriated to, or admitted, or acknowledged by the diet; who nevertheless found means to carry these pieces, dated the third and sixth of *July*, to the dictature, in which there are expressions the most indecent, and that most sensibly
attack

attack his Imperial Majesty, tending partly to excite the electors, princes, and states of the empire, to illicite alliances against their elected and supreme *head*, and to animate them against him, to destroy the union which ought to subsist between the *head* and the *members*, and consequently to ruin and totally overturn the whole constitution of the empire.

That his Imperial Majesty explaining and expressing once for all his lawful resentment, agreeable to the constitutions of the empire, and not being able in consequence of his office of Emperor, declaring from the fullness of Imperial power, improper, inadmissible and null, the protestation carried to the dictature, the twenty third of *September* in the preceeding year, as injurious in the highest degree, to the majesty, the dignity supreme of the emperor of the *Romans*, and the grandeur of the whole empire; and also to cancel and render void, by his imperial authority, the additions to the protestation dictated the third and sixth of *July* in the present year, being no less illicit, contrary to the laws, indecent and outrageous to the emperor and the empire, be also invalid, null and of no virtue, as by
these

these presents they are delared in the strongest manner, as all things must in their nature that are against and repugnant to the laws.

His Imperial Majesty most graciously expecting hereby from the electors, princes, and states, that from the glory of their supreme head, as also in maintainance of the fundamenral laws of the empire, and from a zealous spirit of *Germanick* patriotism, seeing that his Imperial Majesty, pursuant to the capitulation of his election, neither pretends to hinder, nor will hinder, any state from bringing before the rest their just complaints, provided they are conceived in proper terms ; and that on the other hand, the electors, princes, and states, from the light of their great penetration, disapproving these indecent writings, in which the election of his Imperial Majesty, made by the unanimous suffrages of the electors, who transferred thereby to him the imperial dignity, is not acknowledged, the validity of the diet is call'd in question, and in which an attempt is made to break the connection that ought to subsist between the head and the members, and by consequence to overturn the system of the
 empire ;

empire; and that they will also take part in what his Imperial Majesty most graciously causes to be made known, as it ought to be, to them, by his electoral highness of *Mentz*, as arch-chancellor on the subject of this illegal and invalid dictature, and that farther, in conjunction with his Imperial Majesty, who in all things prefers to his private advantage the weal publick of the empire, they will think of the means most proper to dissipate the effects, which such enterprises may have at present, and thereby prevent their ever being in times to come.

Done at Frankfort
this 29 July 1744.

Signed L. S.
Alex. Prince of Tour
and *Taxis*.

"It

“ It is very clear from the nature and
 “ purport of this decree, that his Impe-
 “ rial Majesty is determined to bring the
 “ thing to the test, in order to discover,
 “ whether the electors, princes, and states
 “ of the empire mean to maintain and
 “ support his dignity, and their own ;
 “ pursuant to the constitution of the em-
 “ pire, or whether, tho’ no longer cloa-
 “ thed with Imperial dignity, they are
 “ resolved to court the favour, submit
 “ to the pleasure, and revive the laws
 “ which the house of *Austria* thinks fit
 “ to impose upon them.

“ It cannot be believed, that a prince
 “ so wise, so prudent, and so moderate,
 “ as his Imperial Majesty has always
 “ shewn himself to be, should adventure
 “ on so bold a step as this, without having
 “ some previous indication of the diet ;
 “ and we have the rather reason thus to
 “ conceive an account of the motions vi-
 “ sible among the troops of a great prince,
 “ who has always joined to the most sin-
 “ cere and respectful attachment to the
 “ person of his Imperial Majesty, the
 “ warmest, and most dutiful affection to
 “ the constitution of the Empire,

This

“ This prince, the description of whose
 “ qualities render it needless and unne-
 “ cessary to name him, shews a visible in-
 “ clination to unsheath his sword, not to
 “ destroy, but to restore peace, and to
 “ employ the mighty troops he is able to
 “ raise through his extended dominions
 “ in support of the emperor, and on be-
 “ half of the empire, notwithstanding
 “ his being warmly solicited to prefer
 “ private and particular interest to the
 “ publick safety.

“ But the reasons on which his conduct
 “ is grounded, will much better appear
 “ by transcribing the four first pages of
 “ an authentick piece lately printed, and
 “ published at *Berlin*, for the satisfaction
 “ of the whole world, and to demonstrate
 “ the piety and disinterestedness of that
 “ most potent prince, to whose seasonable
 “ interposition, *Europe* in general, and the
 “ empire in particular will shortly owe a
 “ settled and a solid peace.

“ This extraordinary and surprizing ma-
 “ nifesto, contains no more than eight
 “ pages in quarto, and is published
 “ in

“in defence of the operations, which, at
 “the head of his numerous army, this
 “monarch is about immediately to un-
 “dertake. The title of which runs in
 “the following terms:

*A View of the Motives which have
 obliged the King (of Prussia) to
 grant Auxiliaries unto his Im-
 perial Majesty.*

HIS Majesty being no longer able to behold with indifference, the troubles that desolate *Germany*, after having tried to no purpose every possible method for reconciling them, believes himself obliged to make use of that force, which God hath intrusted him with, for re-establishing peace and order, for restoring vigour unto the laws and constitutions, and his just authority to the head of the empire.

Ever since the success the *Hungarian* troops have had in *Bavaria*, the queen of *Hungary*, far, very far, from using that equity and moderation which was fit and convenient, has treated the hereditary domini-

dominions of the emperor with a harshness that is intolerable, and a cruelty never before heard of.

That princess and her allies have conceived designs demonstrative of their boundless ambition, the pernicious scope of which, is forever to subjugate and enchain the *Germanick* liberty, which has been for more than an age past, the principal object of the dangerous policy of the house of *Austria*.

We need only examine the matters of fact, which have fallen out within these two years past, in order to be convinced, and to see clearly, that the court of *Vien-na* in all its demands, has acted in a manner entirely opposite to the known laws and established constitutions of the *German* empire.

Germany has seen herself overwhelm'd by foreign troops, which have been subsisted to the great detriment of the neutral princes of the empire, and have marched here and there, without sending the usual letters requisitorial.

The queen of *Hungary* has concluded alliances, in order to indemnify certain powers for the extraordinary assistance they have granted her, which have consisted partly in fiefs of the empire, and partly in the hopes given of certain bishopricks, which are states of the empire.

The generals of that princess have thought fit, by force, to make themselves masters of imperial towns; her ministers have presumed to menace and threaten some electors, and have endeavoured to seduce others, in order by this means to overturn this republick, composed of so many sovereigns; the sole union of which among themselves, hath enabled them, to this very day, to sustain undissolved the many convulsions by which they have been shaken.

To how high, to how strange a degree, has the publick faith been treated with contempt by the open and notorious breach of the capitulation of *Branau*; by the attacking the imperial troops under the walls of imperial and neutral cities, and under the protection of the fortresses of the empire; and all this in order to drive them out of the limits of the empire,

pire, of which however their master is the sole and undisputed head. *Be it therefore known, &c.*

“ Such are the Reasons assigned by this
 “ great prince and consummate politician
 “ for betaking himself to arms, that he
 “ may prevent a new inundation of fo-
 “ reigners from pouring into the heart of
 “ distress’d *Germany* under specious pre-
 “ tences. While the *French*, who are as
 “ lawful auxiliaries to the emperor as any
 “ other foreign power can be to the prin-
 “ cess his competitor with respect to the
 “ succession of the late emperor *Charles*
 “ VI. of glorious memory, were still
 “ within the bounds of the *German* em-
 “ pire, his *Prussian* majesty remain’d
 “ quiet, that he might avoid the odium
 “ of joining with strangers, to oppress the
 “ *German* liberty ; but now, when the
 “ *French* have in the most public man-
 “ ner declar’d, that they leave the deci-
 “ sion of *German* disputes, to the decision
 “ of the diet of the empire, to which
 “ they properly and of right belong, his
 “ *Prussian* majesty, as a good *German*, re-
 “ solves to employ his power to prevent
 “ fresh Invasions, which might entirely

“ annihilate the ancient constitution of
“ the empire, in order to give it a new
“ form, better suited to the ambition of
“ those by whom these strangers are called
“ in.

“ It is not however to be expected, that
“ even this wise, this generous, this heroic
“ conduct, should give satisfaction to all ;
“ but it may be reasonably expected, that
“ what injurious colours soever those who
“ dislike it, may endeavour to give thereto,
“ it will have its desir'd effect, by obliging
“ such as have hitherto refused upon any
“ terms to think of peace, now to em-
“ brace it upon those that are fair and
“ equal, leaving to all their just rights,
“ and restoring to the head and chief of
“ the empire his hereditary dominions,
“ upon which there are no claims, to
“ which no pretensions were, or even can
“ be made, tho' the inhabitants of them
“ have been treated in so outrageous a
“ manner.

“ In order to give some idea of the
“ consequences which may be expected
“ from this great and sudden enterprize,
“ of so wise, so powerful, and so martial
“ a prince ; I shall close this account with
the

“ the following relation of what passed at
 “ *Vienna* before his *Prussian* majesty’s
 “ intentions were so full, or so thoroughly
 “ known ; tho’ without doubt that court
 “ could not be ignorant either of his in-
 “ clinations, or his engagements to sup-
 “ port his Imperial Majesty, in conjunction
 “ with other *German* potentates, who
 “ have the same tender sentiments, with
 “ respect to the distresses of their native
 “ country.”

A Private Letter from Vienna.

Vienna, August 5.

TH E councils and conferences held here, have been more frequent within these few days, than they were wont to be in as many months. Yesterday there was one held at count *Staremborg*’s, during which the queen received a courier from prince *Charles* of *Lorrain*. Her majesty having read the dispatches, set out immediately from *Schoenbron*, and went directly to the palace of count *Staremborg*, where the ministers were still assembled; and the conference lasted after her Majesty’s arrival till three o’clock.

There

There has not however a syllable transpir'd either as to the subject of these conferences, or of those which had been held some days before. Yet it is certain nevertheless, that they roll'd chiefly on the new motions of the *Prussian* troops in *Silesia*, and on the advices received from all sides, that they had receiv'd orders to hold themselves in readiness to march at a minute's warning, as well as that they were assembling in the county of *Glatz* a prodigious number of carriages and draught horses.

It looks as if a new invasion was apprehended either on *Bohemia* or *Moravia*, because immediately after this intelligence arrived, two engineers set out, each attended by a train of canoneers and bombardiers, one for *Brinn* the strongest place we have in *Moravia*; the other for *Prague*, which is perhaps thought of the two to be in the greatest danger. Fresh orders were at the same time sent to prince *Charles*, and to count *Bathiani*, to acquaint the first with this surprizing turn of affairs, and to order the latter to hold himself in readiness to march immediately, with the forces under his command, into *Bohemia*, whenever the circumstances of
affairs

affairs might demand it. Two couriers were at the same time dispatched to *Moscow*, one by the way of *Petersburgh*, the other through *Poland*, who is to take his passage by *Kiou*. That which gives us the most sensible concern, in the midst of all these confusions, is the impossibility we now labour under of being able to supply prince *Charles* of *Lorraine* with the succours he demands and expects, in order to improve the advantages which he has already gain'd over the enemies of the house of *Austria*.

“ If such are the events that have attended the very dread of his *Prussian* majesty's taking up arms, in behalf of his Imperial Majesty, and in pursuance of the engagements he has entered into, in behalf of the empire, in conjunction with the other princes who are contracting parties in the treaty of union, what are we not to expect when his manifesto is published, not only through *Germany*, but through all *Europe*, and when at the same time his majesty is in action, at the head of 90,000 of the finest troops that *Europe* has seen ?

“ There seems to be great expectation in some courts, of extraordinary assistance
“ tance

" tance from the *North* ; and yet accord-
 " ing to the latest intelligence, that we
 " have received by the way of *Hamburg*,
 " things do not appear in any such situa-
 " tion. As to *Sweden*, the late alliance
 " contracted with *Prussia*, seems to have
 " secured the successor; and as to the pre-
 " sent possessor of the throne, he is actu-
 " ally a contracting party in the treaty of
 " union; so that his Imperial Majesty has
 " surely little reason to fear any thing
 " from that quarter. As to the court of
 " *Denmark*, it is at present disarm'd, and
 " seems determined to persist in that neu-
 " tral disposition, which it hath hitherto
 " maintain'd amidst all the troubles of
 " *Germany*.

" It remains then that *Russia* or *Poland*,
 " or as some say both in conjunction,
 " should attempt to invade *Germany*. But
 " why? What occasion has the emperor
 " given to either? Besides we have good
 " grounds to believe, that the former
 " taking advantage of the peace lately
 " concluded with *Sweden*, is about to
 " make a great reduction of its forces; and
 " as to the latter, when had it any forces
 " to spare?"

24 MA 66

F I N I S.

